



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Robert Gardes

DATE: January 26, 2005

SERIAL NO.: 10/372,522

GROUP ART UNIT: 3672

FILED: February 21, 2003

EXAMINER: Neuder, William P.

FOR: "Multi Seam Coal Bed/Methane Dewatering and Depressurizing Production System"

ATTORNEY DOCKET NO.: P02135US (26100.35P)

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**DECLARATION UNDER 37 C.F.R. §1.131**

1. My name is Robert Gardes and I am the named inventor in the above referenced patent application filed on February 21, 2003.
2. I am also the patentee of U.S. Patent No. 5,720,356, entitled "Method and System for Drilling Under Balanced Radio Wells Utilizing a Dual String Technique in a Live Well".
3. In the winter of 2000, I invented a process for applying the under balanced drilling technique as disclosed in the U.S. Patent No. 5,720,356 to a multi seam coal bed/methane dewatering and depressurizing production system.
4. That system as invented by me, involved the production of methane gas from coal and shale formations utilizing under balanced multilateral drilling by first drilling a bore hole into the coal shale formation; lowering a carrier string with a deflection member down the first bore hole to the level of the coal shale formation; lowering a drill string into the carrier string to drill a lateral bore hole off the bore hole in the formation; introducing nitrogen and/or air and/or water down the annulus between the first bore hole and the carrier string; pumping drilling fluid down the drill string annulus; and returning that fluid in combination together with the air/nitrogen/fluid as well as fluid collected from the formation into the annulus between the drill string and the carrier string up to the surface.
5. On or about January 18, 2001, in Houston, Texas, I disclosed the new process as explained above to Mr. Joseph A. Zupanick and officials of CDX Gas, LLC, under confidentiality.
6. On August 1, 2001, I entered a license agreement with CDX Gas, LLC to practice

7. On February 21, 2003, I applied for a patent on the process as disclosed which is the subject of this present patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-26-05

Date



Robert Gardes